

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ORDER

PROUD, Magistrate Judge:

Before the Court is defendant Marion Coal Holding's motion to compel production of documents. (**Doc. 123**). Also before the Court is defendant Marion Coal Holding's motion to withdraw its motion to compel, because the issues have been resolved. (**Doc. 126**).

IT IS THEREFORE ORDERED that defendant Marion Coal Holding's motion to withdraw its motion to compel (**Doc. 126**) is **GRANTED**; accordingly, defendant Marion Coal Holding's motion to compel production of documents (**Doc. 123**) is **DENIED AS MOOT**.

IT IS SO ORDERED.

DATED: September 11, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE